Remarks

A. Pending Claims

Claims 1, 5-11, and 15-25 are pending. Claims 1, 5-11, and 15-25 are rejected. Claims 4 and 11 have been cancelled. Claims 1, 5, 6, 11, 15, 16, 21, and 22 have been amended.

B. The Claims Are Patentable Over Ochiai et al. Pursuant To 35 U.S.C. § 102(e)

Claims 1, 6, 11, 16, 21, and 22 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,757,482 to Ochiai et al. (hereinafter "Ochiai"). Applicant respectfully disagrees with the rejection.

Amended claim 1 describes a combination of feature including, but not limited to, the features of:

> wherein the playback means has a first playback mode in which said playback means plays back the multimedia information which is distributed from the storage device and received by said first input means, on the basis of the control information which is distributed from the storage device and received by said second input means, and wherein the play back of the multimedia information which is distributed from the storage device and received by said first input means, on the basis of the control information which is distributed from the network server and received by said second input means by the said playback means is a second playback mode, and the apparatus further comprises switching means for switching a playback mode to either one of the first and second playback modes

Support for the amendment is found in original claim 4. In addition, Applicant's specification states, at least in part:

> ... a network server (to be referred to as a server hereinafter). As shown in Fig. 7, stream data contains video data, audio data, and control data (to be also referred to as control information hereinafter) for controlling playback of these data.
>
> Control data has functions of limiting playback contents, e.g., a user operation limitation function, playback channel limitation function (when the digital broadcasting has a plurality of channels) playback stream data limitation function, and a function of checking user operation and playing back a stream.

> Such stream data is obtained when video data, audio data, or control data are distributed from the server 300 to the stream playback apparatus 100 via the network 200, as shown in Fig. 7, or when only control data is distributed from the server 300, and video data and audio data are distributed from a DVD 400. (Specification, page 26, line 21 through page 27, line 9)

> Fig. 14 shows an operation example when control data is distributed from the server 300, and video and audio data are distributed from the DVD 400 or storage device 500, as shown in Fig. 8 described above. In this arrangement, if the user side instructs playback (step S61), the playback apparatus 100 receives this instruction, and notifies the server 300 of the instruction. Then, the server 300 distributes control data to the playback apparatus 100 (step S62), and the playback apparatus 100 receives the control data and stores it in the memory buffer or disk (step S63). The playback apparatus 100 inputs video and audio data from the DVD 400 or storage device 500, and stores them in the disk (steps S64 and S65). The playback apparatus 100 reads out the stored control data, and executes the playback processes A to D of playing back video and audio data in accordance with the control data (step S66). (Specification page 34, lines 4-21)

Ochiai does not appear to teach or suggest the combination of the features of the claim, including, but not limited to the feature of, "wherein the play back of the multimedia information which is distributed from the storage device and received by said first input means, on the basis of the control information which is distributed from the network server and received by said second input means by the said playback means..."

Ochiai appears to teach reproduction in broadcasting order. Ochiai states, "a device for dynamically editing received broadcast data, by which broadcast data which has been received by a receiving terminal can be edited by means of a simple method" (Column 1, lines 52-56). Although Ochiai appears to disclose processing for performing reproduction according to an acquired script, it does not appear to disclose other types of reproduction processing. Even if a suggestion of processing for performing reproduction in order of broadcasting could be understood from Ochiai, that processing for performing reproduction in broadcasting order is designed merely to reproduce received data as it is, not to execute the reproduction processing according to some sort of control data.

Applicant submits the combination of the features of the claim including, but not limited to, the feature of "wherein the play back of the multimedia information which is distributed from the storage device and received by said first input means, on the basis of the control information which is distributed from the network server and received by said second input means by the said playback means is" does not appear to be taught or suggested by Ochiai. As such, Applicant submits claim 1 is patentable over Ochiai. Applicant submits that the claims dependent on claim 1 (claims 5-10) are patentable over Ochiai.

For at least the reasons state above, Applicant submits that claims 11, 21, and 22 and the claims dependent thereon (claims 15-20, 24, and 25) are patentable over Ochiai.

C. The Claims Are Patentable Over Ochiai In View of Kamo Pursuant To 35 U.S.C. § 103(a)

Claims 5 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ochiai in view of U.S. Published Patent Application No. 2002-0057694 to Kamo (hereinafter "Kamo"). Applicant respectfully disagrees with the rejection.

For at least the reasons stated above, claims 1 and 11 are patentable over Ochiai.

Claim 5 includes the feature of "wherein said switching means comprises: authentication means for authenticating the network server upon reception of a switching request signal from a user; and means for switching the playback mode of said playback means to the second playback mode when said authentication means authenticates the network server as an authentic network server" in combination with the features of claim 1.

For at least the reasons previously mentioned, Ochiai does not appear to teach or suggest at least the quoted features of claim 1. Applicant respectfully submits the features of claim 5 in combination with the features of claim 1 does not appear to be taught or suggested by the cited art.

Claim 15 includes the feature of "an eighth step of authenticating the network server upon reception of a switching request signal from a user; and a ninth step of executing the sixth step when the network server is authenticated as an authentic network server on the basis of execution of the eighth step" in combination with the features of claim 1. Applicant respectfully submits the features of claim 15 in combination with the features of claim 11 does not appear to be taught or suggested by the cited art.

D. <u>The Claims Are Patentable Over Ochiai In View Of Dan Pursuant To 35 U.S.C. § 103(a)</u>

Claims 7, 9, 17, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ochiai in view of U.S. Patent No. 5,561,637 to Dan et al. (hereinafter "Dan"). Applicant respectfully disagrees with the rejection.

For at least the reasons stated above, Applicant submits claim 1 is patentable over Ochiai.

Claim 7 states in part: "wherein the network server generates group management information for managing a plurality of users having similar personal information as one group and generates, based on the group management information, for controlling playback of the multimedia information, and wherein the playback means plays back the multimedia information based on the generated control information."

Dan does not appear to teach or suggest a network server generating the control data, which is not determined by the group members. Dan appears to teach choosing a leader from a group watching the same video and controlling video reproduction of the group members according to the leader's operation. Dan states:

> One way to integrate both the client pull and the server push strategies is to designate a particular client for a given multicast group (i.e. a group of clients viewing the same video as part of the same session) as the leader... When the leader requires the next block of the video, it sends a pull request to the server. The server treats this as a request on behalf of all clients in the multicast group.

(Column 2, line 61 through Column 3 line 3)

Applicant submits that the combination of the features of the claim including, but not limited to, the feature of "wherein the network server generates group management information for managing a plurality of users having similar personal information as one group and generates, based on the group management information, for controlling playback of the multimedia information, and wherein the playback means plays back the multimedia information based on the generated control information" does not appear to be taught or suggested by Ochiai alone or in combination with Dan. As such, Applicant submits that claim 7 is patentable over Ochiai alone or in combination with Dan.

Claim 9 states in part, "wherein the network server distributes multimedia information of digital broadcasting having a plurality of channels, and said playback means plays back multimedia information of a channel corresponding to the control information" in combination with the features of claim 1. Applicant respectfully submits the features of claim 9 in combination with the features of claim 1 does not appear to be taught or suggested by the cited art.

Claim 17 states in part, "wherein the network server comprises: a first step of generating group management information for managing a plurality of users having similar personal information as one group and generating, based on the group management information, the control information for controlling playback of the multimedia information; and wherein the third step comprises a fifth step of playing back the multimedia information on the basis of the control information generated by execution of the first step of the network server." Applicant respectfully submits the features of claim 17 in combination with the features of claim 11 does not appear to be taught or suggested by the cited art.

Claim 19 state in part, "wherein the network server comprises: a first step of distributing multimedia information of digital broadcasting having a plurality of channels; and the third step comprises a fifth step of playing back multimedia information of a channel corresponding to the

control information." Applicant respectfully submits the features of claim 19 in combination with the features of claim 11 does not appear to be taught or suggested by the cited art.

E. The Claims Are Patentable Over Ochiai In View of Brown Pursuant to 35 U.S.C. § 103(a)

Claims 8 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ochiai in view of U.S. Patent No. 6,732,179 to Brown et al. ("Brown"). Applicant respectfully disagrees with the rejection.

For at least the reasons stated above, Applicant submits that claims 1 and 11 are patentable over Ochiai.

Claim 8 states in part, "wherein said playback means comprises determination means for, when change operation of the control information by a user is detected during playback of the multimedia information, determining whether to receive the change operation, in accordance with personal information of the user, and when said determination means determines that the change operation of the control information is receivable, said playback means plays back the multimedia information on the basis of the control information changed in accordance with user operation." Applicant respectfully submits the features of claim 8 in combination with the features of claim 1 does not appear to be taught or suggested by the cited art.

Claim 18 states in part, "a fifth step of, when change operation of the control information by a user is detected during playback of the multimedia information, determining whether to receive the change operation, in accordance with personal information of the user; and a sixth step of, when the change operation of the control information is determined to be receivable by execution of the fifth step, playing back the multimedia information on the basis of the control information changed in accordance with user operation." Applicant respectfully submits the features of claim 18 in combination with the features of claim 11 does not appear to be taught or suggested by the cited art.

F. The Claims Are Patentable Over Ochiai In View of Mages et al. Pursuant to 35 U.S.C. § 103(a)

Claims 10 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ochiai in view of U.S. Patent No. 6,035,329 to Mages et al. (hereinafter "Mages"). Applicant respectfully disagrees with the rejection.

For at least the reasons stated above, Applicant submits that claims 1 and 11 are patentable over Ochiai.

Claim 10 states in part, "wherein the control information contains a program for checking user operation contents, and when user operation is detected during playback of the multimedia information, said playback means executes the program, and plays back multimedia information corresponding to the user operation contents." Applicant respectfully submits the features of claim 10 in combination with the features of claim 1 does not appear to be taught or suggested by the cited art.

Claim 20 state in part, "wherein the control information includes a program for checking user operation contents, and the third step comprises a fifth step of, when user operation is detected during playback of the multimedia information, executing the program, and playing back multimedia information corresponding to the user operation contents." Applicant respectfully submits the features of claim 20 in combination with the features of claim 11 does not appear to be taught or suggested by the cited art.

G. The Claims Are Patentable Over Ochiai Pursuant to 35 U.S.C. § 103(a)

Claims 23-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ochiai. Applicant respectfully disagrees with the rejection.

Claims 23-25 state in part, "wherein the first distribution source is a DVD-ROM." Applicant respectfully submits the features of claims 23, 24, and 25 in combination with the

features of independent claims 1, 11, and 22, respectfully, does not appear to be taught or suggested by the cited art.

H. Additional Remarks

Based on the above, favorable reconsideration is respectfully requested.

It is believed that no fees are due with the filing of this response. If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are required or if any fees have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5664-00100/EBM.

Respectfully submitted,

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